



ABC Update March 2014

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Legislative Update

Senate Bill 13 created several changes to Kentucky alcohol law in 2013. This session, the Department of Alcoholic Beverage Control is working on legislation to clean up errors that were created as a result of Senate Bill 13. Senate Bill 83 will correct drafting mistakes – incorrect statute references, licenses that no longer exist, etc. In addition, Senate Bill 83 proposes two other changes; First, weak cider (cider containing less than 7% alcohol by volume) will be classified as a malt beverage, rather than a wine; Second, craft distilleries (distilleries producing less than 50,000 gallons annually) will be eligible for a separate license. While the privileges of this distillery license would remain the same, the new license fee will be \$1,000, rather than \$5,000.

Currently, the bill is pending a hearing in the Senate Licensing, Occupations, and Administrative Regulations committee. You can track Senate Bill 83's progress at lrc.ky.gov.

NCAA Bracket Contest Update

The NCAA men's basketball tournament is very popular in Kentucky. This popularity results in contests in which employees or patrons attempt to pick the champion or the most winning teams in NCAA bracket sheets, or randomly draw team names.

KRS 243.500(7) provides that an alcoholic beverage license may be revoked or suspended for "setting up, conducting, operating, or keeping on the licensed premises, **any gambling game**, device, machine, contrivance, lottery, gift enterprise, handbook, or facility for betting or transmitting bets on horse races; or permitting to be set up, conducted, operated, kept or engaged in, on the licensed premises, any such game, device, machine, contrivance, lottery, gift enterprise, handbook or facility." (emphasis added). **KRS 528.010(3)(a)** defines "gambling" to mean "staking or risking something of value **[wager]** upon the outcome of a contest, game, gaming scheme, or gaming device which is based upon an element of chance, in accord with an agreement or understanding that someone will receive something of value **[prize]** in the event of a certain outcome."

Because picking winning teams involves an **element of chance**, illegal gambling occurs whenever people wager money (pay to play) and the winners receive a prize or money payout.



“Green Beer” on St. Patrick’s Day

KRS 244.550 prohibits adulteration of malt beverages “which changes the character or purity” of the product. The Department opines that adding green food color to beer does NOT materially change the character or purity of the beer. Furthermore, **KRS 244.550** exists to ensure that retailers and consumers get the quality product for which they bargained. When consumers order “green beer,” they know that they are receiving the same character and purity of beer with food coloring simply added. Although green beer is not prohibited adulteration, a distributor does not have to provide green beer to its retailers, even if requested.



S.T.A.R. Class Update and Schedule

S.T.A.R. classes are scheduled throughout the year in the Commonwealth (See public class schedule below), however, private class requests are available as well for groups of fifteen or more. Contact Dean Davis at (502) 782-1028 or via email at dean.davis@ky.gov. for more information regarding private class scheduling.

S.T.A.R. PUBLIC CLASS SCHEDULE FOR MARCH AND APRIL 2014

Class Date	Time	City	Location
03/01/2014	9:00AM	Grayson	Cooperative Extension Education Building
03/03/2014	9:00AM	Campbellsville	City Hall
03/04/2014	9:00AM	Louisville	Ramada Conference Center
03/04/2014	9:00AM	Lexington	Four Points by Sheraton
03/10/2014	9:00AM	Frankfort	Kentucky Alcohol Beverage Control
03/10/2014	9:00AM	Owensboro	Cigar Factory Mall
03/11/2014	9:00AM	Somerset	Hampton Inn
03/11/2014	5:00PM	Paducah	City Hall
03/15/2014	9:00AM	Lexington	Four Points by Sheraton
03/18/2014	9:00AM	Danville	Inter-County Energy Co-op
03/24/2014	9:00AM	La Grange	Fiscal Court Building
03/24/2014	9:00AM	Mount Sterling	Health and Civic Center
03/24/2014	9:00AM	Hopkinsville	Hampton Inn
03/25/2014	5:00PM	Lexington	Four Points by Sheraton
03/31/2014	9:00AM	Elizabethtown	Pritchard Community Center
03/31/2014	9:00AM	Prestonsburg	Jenny Wiley SRP
04/01/2014	9:00AM	Lexington	Four Points by Sheraton
04/07/2014	9:00AM	Hardinsburg	Community Center
04/08/2014	9:00AM	Paducah	City Hall
04/12/2014	9:00AM	Lexington	Four Points by Sheraton
04/14/2014	5:00PM	Frankfort	Kentucky Alcohol Beverage Control
04/14/2014	5:00PM	Owensboro	Cigar Factory Mall
04/15/2014	9:00AM	Corbin	City Hall-Corbin
04/21/2014	9:00AM	London	Holiday Inn Express
04/21/2014	6:00PM	Louisville	Ramada Conference Center
04/29/2014	5:00PM	Lexington	Four Points by Sheraton
04/29/2014	5:30PM	Murray	Murray State University Curris Center



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